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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/605,996	11/12/2003	Chun-Kai Huang		2995

25859 7590 10/26/2005  
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EXAMINER

NOVOSAD, JENNIFER ELEANORE

ART UNIT PAPER NUMBER

3634

DATE MAILED: 10/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/605,996

**Applicant(s)**

HUANG ET AL.

**Examiner**

Jennifer E. Novosad

**Art Unit**

3634

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12 November 2003 and 05 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) 17-21 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☒ Claim(s) 2-16 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☒ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☒ Certified copies of the priority documents have been received in Application No. 10/605,996.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>11/12/2003</u> . | 6) <input type="checkbox"/> Other: _____  |

cc

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### **DETAILED ACTION**

This Office action is in response to the application filed November 12, 2003 and the election filed August 5, 2005.

#### ***Election/Restriction***

Applicant's election of Group I, i.e., claims 1-16, in the reply filed on August 5, 2005 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

Claims 17-21 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim.

As advanced below, since claims 1-16 are objected to being allowable, except for the presence of the Section 112, 2<sup>nd</sup> paragraph rejections in claim 1, it is suggested that applicant cancel non-elected claims 17-21 in the next correspondence, so as to expedite proceedings.

#### ***Priority***

Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Taiwan on November 13, 2002. It is noted, however, that applicant has not filed a certified copy of the Taiwanese application as required by 35 U.S.C. 119(b).

#### ***Abstract***

Applicant is reminded of the proper language and format for an abstract of the disclosure.

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The form and legal phraseology often used in patent claims, such as "means" in lines 8-12 and 14, should be avoided.

### ***Claim Objections***

Claims 1, 5, and 6 are objected to because of the following informalities:

In claim 1, line 9, --of-- should be inserted after "sides".

Claims 1, 5, and 6 improperly contain words bridging adjacent lines. It is suggested that when re-submitting the claims, the text of all words either commences or ends on one line.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 is rendered indefinite by the language of the recitation "closer to a corresponding side of the case" in lines 11-12 since this recitation appears inaccurate and/or misdescriptive. *In particular*, the structural relationship between the elements is unclear since it is unclear which "sides" applicant is referring to. It is noted that the entrance and case have *both* been set forth as having sides (see line 9 and 12, respectively). It is suggested that the case and entrance be more clearly defined so that when reference to sides thereof are made, the structural relationship

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between the elements is more clear. *For example, if* the case is set forth as having a top, bottom, and sides, and the entrance is defined as extending between the sides, then the locating mechanisms can be correlated to the top and bottom of the case and the locating means can be correlated to the sides of the case.

Claim 1 recites the limitation "the stoppers" in line 15. There is insufficient antecedent basis for this limitation in the claim. It is noted that a "stopper", i.e., singular, has been set forth in line 7. *Thus*, it is unclear how these "stoppers" are engaged "in the first (and second) locating means". It appears that, perhaps, "stoppers" should be changed to --stopper--.

#### ***Allowable Subject Matter***

Claim 1 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and hence, claims 2-16 are objected to as being dependent upon a rejected base claim.

The prior art of record fails to show or suggest a cassette, as specifically called for in the claimed combination of claim 1, whereby the stopper is engaged in the first means and a second means (see the last 6 lines of claim 1).

With respect to U.S. Patent No. 5,853,214, while this reference shows a stopping mechanism that is movable, with locating mechanisms (top and bottom of Figure 5) with first and second locating means (apertures therein), and a stopper (131), the stopper (131) does not engage the first and then the second means, as required in claim 1.

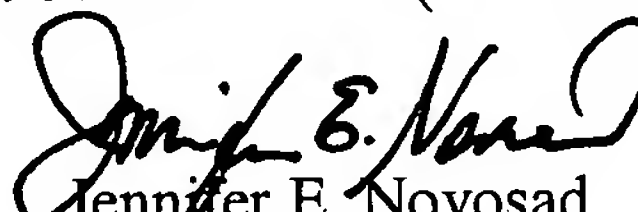
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***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer E. Novosad whose telephone number is 571-272-6832. The examiner can normally be reached on Monday-Thursday, 5:30am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard E. Chilcot can be reached on 571-272-6777. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Jennifer E. Novosad  
Primary Examiner  
Art Unit 3634

October 24, 2005